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Sacramento Media Group Testimony Federal Communications Commission Hearing Oakland, California October 27, 2006 FILED/ACCEPTED

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Federal Communications Commission
Office of the Secretary

Thank you for the opportunity to address media reform issues which are so vital to the functioning of our democracy.

Let us begin by citing three facts:

Honorable Commissioners:

- 1) In the 1980s the FCC dissolved a fairness doctrine and weakened public interest standards, allowing the corporate "free market" to ensure diversity and balance. Recent studies show that diversity and balance have been critically threatened by FCC deregulation.
- 2) In 2003, the FCC received over three million public comments, of which more than 99 percent opposed further media consolidation. Yet the FCC ignored the clear voice of the public! It took Congress and a court challenge to get the FCC to back down from more efforts to relax ownership rules.
- 3) In 2004, a research report, commissioned by the FCC was suppressed because it revealed greater concentration of media ownership would hurt local TV news. This conclusion was at odds with FCC arguments made when it voted to increase the number of television stations one company could own in a single market.

Common Cause has taken a leadership role in media reform efforts in recent years, including participation in the national *Public Interest, Public Obligation* campaign in 2004. Thousands of Common Cause members have opposed the loosening of ownership rules because they strongly believe we need information from diverse, competitive and independent sources to ensure the heath of our democracy. Further concentration of ownership will not further this fundamental purpose.

As an affiliate of California Common Cause, the Sacramento Media Group (SMG) has continued to actively promote media reform. In 2004 SMG organized a public forum to debate the question: "Should Radio Stations, TV Broadcasters and Newspapers Be Owned by the Same Corporation?" The event was co-sponsored by the Institute for the Study of Politics and the Media, based at California State University at Sacramento. In 2006, SMG continued its collaboration with the Institute by organizing a CSUS event titled, "How Do We Engage Voters? Television Coverage of the Upcoming 2006 Election."

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In 2005, SMG released a report (attached) documenting its meetings with local television station managers. It found that television broadcasters in the Sacramento region fell far short of Common Cause goals for informing local voters on the candidates and issues prior to the 2004 elections— despite the fact these stations earned nearly \$12 million in political advertising revenues during that same election period.

This year SMG met again with local broadcasters to discuss their plans for coverage prior to the November 2006 election. The group continued urge stations to increase substantive issue and candidate coverage. Only NBC affiliate KCRA, owned by Hearst Argyle, is giving as much as five minutes per day of locally produced election issue coverage. One station manager, Russell Postell of ABC's KXTV owned by Gannett, refused to meet with SMG, community members with diverse backgrounds and active with the League of Women Voters, Common Cause and the Sacramento community media center.

Broadcaster visits are being supplemented with outreach to the public and many people have written to local television stations asking for more substantive public affairs coverage. In addition, this year SMG, in partnership the Institute for the Study of Politics and the Media at CSUS, is monitoring local television news election coverage and plans to publish findings.

In all our work, we find the public extremely concerned about local television broadcasters doing more to make local public affairs and news programming available. What we conclude from meetings with television station managers is that until the FCC requires more public affairs programming, it will not be provided. What we know from research and the public experience, increased monopoly of media does not serve our local communities, where still most people seek news and information. We ask that the FCC mandate guidelines for extensive, fair, locally produced programs covering public affairs, especially during election cycles. In order for this to happen, we maintain that ownership of information media must not be concentrated, but instead must encourage diversity and responsiveness to the needs of local communities.

JoAnn Fuller

Associate Director California Common Cause

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Sacramento Television Coverage of the November 2004 General Election



A Public Interest-Public Airwaves Community-By-Community Campaign Project

By

The Sacramento Media Group

May 2005

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Acknowledgements

The members of the Sacramento Media Group gratefully acknowledge the cooperation of local broadcast television station managers and their staffs, as well as the leadership and participation of JoAnn Fuller of California Common Cause, Ron Cooper of Access Sacramento, and members of Common Cause and the League of Women Voters of Sacramento.

Executive Summary

In the fall of 2004, the Sacramento Media Group (SMG) – an association of concerned citizens including members of California Common Cause, the League of Women Voters Sacramento and Access Sacramento, the local public access cable television – joined a national campaign to evaluate how fairly and effectively local broadcast television stations used the public airwaves to educate voters about candidates and issues. The national campaign, coordinated by the Public Interest Public Airwaves Coalition (PIPA), tried to convince broadcasters nationwide to air two hours per week of locally produced election coverage in prime time (5:30 -11:35 p.m.) during the six weeks prior to Election Day 2004. The two-hour standard represents approximately 5 percent of total prime-time hours.

In Sacramento, SMG concentrated on stations that produce local news shows: Channels 3, 10, 13, 19, 31 and 40. SMG members contacted and visited station managers at these channels, except for Channel 13 which declined to participate. Most of the visited stations followed up by submitting letters that described their election-related activities.

Station managers interviewed responded to a series of questions designed to assess:

- Understanding of a broadcaster's public interest obligations, particularly around election coverage
- Commitment to balance and fairness in political coverage
- Pressures put on local stations by corporate owners
- Planned coverage of candidates and issues during the weeks prior to the election.

SMG members also reviewed the public interest files of each station, files that are required by the Federal Communications Commission (FCC) to keep an accounting of each station's public service work. These files include viewers' comments as well as listings of broadcasts that benefit the community, donations or contributions to local nonprofit causes, and revenues for campaign ads sold to candidates and committees.

FINDING 1: Local stations earned nearly \$12 million in 2004 political advertising revenues.

FINDING 2:
All Sacramento
stations aired far less
than two hours of
prime-time, locally
produced voter
education.

FINDING 3: Local stations keep inadequate public interest records.

Key findings include:

- None of the Sacramento stations came close to the recommended standard of two hours of locally produced, prime-time programming designed to educate voters on candidates and issues.
 Reasons cited include the cost of producing original local programming; the need to compete for viewers with such sources as cable television and the Internet; and a geographically large viewing area with many different local issues and elections.
- Public interest files at all of the stations were of limited use in evaluating how the stations were meeting their obligations. News stories that contributed to the community's interest were listed under several topics, so it was difficult to quantify what was actually provided. Many items such as coverage of new "healthy" salads at McDonald's seemed of questionable service to the

- public. Very little public comment was found in any of the files, with station managers confirming they rarely hear from viewers about coverage.
- Local stations earned approximately \$12 million in political advertising revenues in 2004, yet spent only a tiny fraction of that on locally produced programs that helped to inform voters about their choices. Advertising rates dependent on type of race, time of day, time of program and viewing audience sometimes went as high as \$8,000 for a single 60-second "spot."

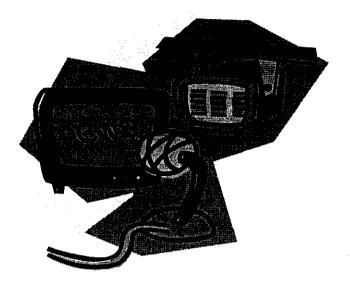
Sacramento Media Group's local recommendations:

- Continue to monitor Sacramento stations' performance against the PIPA standard: two hours per week of locally-produced election coverage during prime time throughout the six weeks prior to elections, and three hours per week of local civic or electoral affairs programming throughout the rest of the year, at least half of it during prime-time.
- Monitor news programs to record whether stations are covering important events in a nonpartisan manner. This would provide documentation for the FCC and public interest media watchdog groups.
- Develop a means for members of the public to register complaints and compliments about local television stations on a website hosted by a public interest group, thus providing a repository of information with no potential conflicts of interest.
- Encourage local stations to develop a tracking system that enables viewers to be assured
 their public comment communications are retained in a station's public file, and to
 maintain station public interest files on a website that would be easily accessible to
 viewers.
- Encourage public input to the FCC during the re-licensing period, between now and the end of 2006, for television stations in California.

Sacramento Media Group's recommendations to the FCC:

- Develop and approve concrete public interest guidelines with measurable objectives, sensitive to First Amendment media rights but serving the vital need to inform citizens about their democracy.
- Expand guidelines regarding what information must be collected in station public files and how this information must be presented for public view, including the placement of advertising revenues on station websites, listing amount received by client, candidate, and or ballot measure.
- Develop regulations (and/or support legislation) to reinstate a Fairness Doctrine so citizens can be sure of access to several, opposing points of view.

I. Background



For generations, media activists and public interest groups have fought to have broadcasters take seriously their obligations, written in the Telecommunications Act of 1934, to serve the "public interest, convenience or necessity." They have also fought the notion, put forward by broadcasters, that serving the public interest means charity telethons and airing public service announcements rather than giving viewers the tools and information they need to be citizens. The Federal Communications Commission (FCC), charged with regulating broadcast media, has failed to put any meaning into the public interest obligations of broadcasters during the last two decades. In this vacuum broadcasters have been free to define for themselves what constitutes fulfillment of this critical obligation.

The 2004 elections were exceptionally significant because voters chose the next president, elected U.S. senators and congressional representatives, and decided on ballot measures that impact local communities and individual lives. In a democracy, the electorate must have knowledge about candidates and their positions as well as the potential consequences of proposed laws in order to make informed decisions. Television, in its capacity to reach and educate voters, should play a critical role in providing such information.

This report is being issued to focus attention on how fairly and effectively local broadcast television stations played that role during the 2004 general election cycle. It has been prepared by the Sacramento Media Group (SMG), an association of concerned citizens, including members of California Common Cause, the League of Women Voters Sacramento and Access Sacramento, the Sacramento public access cable television station.

Results of national studies were the initial cause for Sacramento Media Group's concern:

- A viewer was four times more likely to see a paid political ad during a television news broadcast than an election related story during the 2000 presidential election.
- More than half of the top news broadcasts in the largest television markets did not offer any election coverage in the weeks before the 2002 congressional elections.

- During the two weeks leading up to Super Tuesday primaries, ABC, CBS, NBC and Fox
 devoted an average of only eight percent of their news to election coverage. With the
 exception of Sunday morning public affairs shows, coverage was overwhelmingly a
 discussion of campaign strategy, polls or the "horse race" rather than candidates' positions
 on issues.
- Fewer than one in five network television evening news stories about the 2004 presidential primary reported on candidates' positions on issues or their voting records.
- Television political advertising revenue, for the top 100 media markets, topped \$1.6
 billion in 2004, double the amount spent in the 2000 presidential election. This does not
 include revenues in the 111 smaller media markets. (See appendix D for more
 information.)

(Cited from reports by: The Alliance for Better Campaigns, USC Annenberg School for Communication-Norman Lear Center, University of Wisconsin, Pew Charitable Trust)

By law, television (and radio) stations have a public service obligation they are expected to fulfill in return for the use of publicly owned airwaves, an obligation upheld by the Supreme Court. Ever since the birth of radio, the broadcast spectrum has been viewed as the property of the American public, not the broadcasters. Concern about how well broadcasters would meet their obligation in the November 2004 election cycle seemed well-founded. In its report titled *Local TV News Coverage of the 2002 General Election*, The Lear Center, a project of the USC Annenberg School and the University of Wisconsin, notes:

"Over the seven-week period reported on in the study, over half (56 percent) of the top-rated half-hour news broadcasts did not contain a single campaign story. In the 44 percent of broadcasts that did contain campaign coverage, the average election story was 89 seconds long. When campaign stories aired, only 28 percent contained candidates saying anything at all. In those stories showing candidates speaking, the average sound bite was 12 seconds long."

In response to data such as this, a group of interested citizens formed the SMG to determine how members of the community could reinforce the public interest responsibility of local Sacramento broadcast television stations. SMG decided the most effective response was to join a national campaign with Common Cause. Along with 25 other public interest organizations representing millions of Americans, Common Cause had joined the Public Interest Public Airwaves Coalition (PIPA) to work across the country to hold the nation's 1,300 commercial broadcasters to a more meaningful standard of public service in their coverage of elections—two hours per week of locally produced, prime time election coverage during the six weeks just prior to Election Day.

PIPA's larger goal is to convince the FCC to consider and approve measurable, concrete public interest guidelines for broadcasters, including a requirement that stations air a minimum of three hours per week of local civic or electoral affairs programming throughout the year, at least half of it between 5 p.m. and 11:35 p.m., when most adults watch TV.

The Sacramento Media group decided to enlist in the campaign by reviewing election coverage plans with Sacramento-based television stations, encouraging each station to provide two hours of locally produced, prime-time coverage each week, and comparing their efforts with the criteria established by PIPA. This two-hour goal seemed a reasonable amount of time to devote to helping invigorate the democratic process, given that the

industry makes millions from selling campaign advertising on public airwaves. An election cycle is filled with drama, competition and, at times, comedy, all ingredients of creative programming. Would local television producers use these elements to produce 17-18 minutes of programming each day to better inform the citizenry?

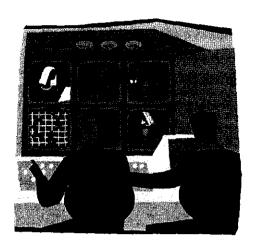
Our efforts were especially important and timely in light of the fact that the licenses of all California broadcast television and radio stations are soon coming up for renewal – radio stations by the end of 2005 and TV stations by the end of 2006. While most renewals are virtually automatic, they do present an opportunity for citizens to contact the FCC and stations with their evaluations and recommendations. One of the purposes of this report is to encourage more public participation in the license renewal process. Guidelines for public participation can be found at the FCC and Alliance for Better Campaigns websites:

www.fcc.gov/localism/renew_process_handout.doc www.bettercampaigns.org/freeairtime/factsheets/LicenseRenewal.pdf

Although this study focused mainly on *quantity* of election-related coverage, there is certainly equal concern for *quality* of coverage. Can a licensed broadcaster repeatedly expound the virtues of a certain party, candidate or issue without some effort towards balance and fairness? Unfortunately, the answer is yes.

The standards for fairness and balance in political reporting disappeared in 1987 with the abolition of the long-standing "Fairness Doctrine." This FCC guideline, while not perfect, had bolstered the FCC to at least expect some political balance in a licensed broadcaster's overall programming line-up. Without it, there is no such expectation and no basis for enforcing politically balanced programming. While it was our general observation that most broadcast television stations in the Sacramento area attempt to provide political balance, it is noteworthy that Channel 13 (Sinclair Broadcasting) regularly airs blatantly partisan "editorials" during local news programming – even during the weeks leading up to the November election. There is currently no legal basis for challenging this type of abuse of an FCC license to use our public airwaves.

II. Project Goals and Activities



Sacramento Media Group's goals:

- Meet with local broadcast television station managers and news directors to discuss their election coverage plans.
- Press stations to dedicate two hours each week to locally produced programming about candidates and/or electoral issues during prime-time viewing hours over the six weeks before the November 2004 election. The two-hour standard represents about 5 percent of total prime-time hours.
- Gauge station performance against the above standard.

Project attention focused on stations that produce local news shows: Channels 3, 10, 13, 19, 31 and 40. (See Appendix A for station information). Channel 3 management also spoke for Channel 58 which broadcasts a half-hour version of the Channel 3 newscast daily. Channel 6, a PBS affiliate, was not approached since its schedule does not include regular, locally produced news programs. Channel 13 declined to participate. Channels 3, 10, 19, 31 and 40 were visited and interviewed by the study group. Most of the visited stations followed up by submitting letters describing their activities.

A. Station Visits and Interviews

Station visits were extremely useful in understanding issues local television broadcasters face. Most heartening to hear was station managers' confirmation that viewers respond well to political issue programming and that such programs are popular. Representatives from SMG enjoyed these accommodating and productive meetings with general managers and news directors from every Sacramento station with the exception of Channel 13. The general manager of Channel 13 refused to meet, citing concerns that the station's broadcast plans, which were proprietary, should not be subject to public scrutiny before the election. Channel 13 also refused to send a letter describing its coverage even after the election.

During the interviews, station managers were asked about their understanding of a station's public interest obligations, particularly around election coverage. All managers stated they understood the need to be good corporate citizens, and exhibited a general awareness and respect for their licensed use of public airwaves. They also explained that there are competing sources of information available to the public such as cable television and the Internet. Because of this, local television needs compelling ways to cover issues relevant to people and provide information that is needed to successfully recruit an audience. They did emphasize

that, to survive in a competitive Sacramento market, local stations must be responsive to the community and focus on what is of importance to viewers.

Regarding balance and the need for fairness in political coverage, every manager stated this is vital to garner the trust of their audience. They understood such evenhandedness to be basic to democratic principles and fundamentally good business. The managers did complain that, while their activities are regulated, their cable competition is not. It is noted, however, that stations use public airwaves for free while cable companies do not broadcast on public airwaves.

All stations visited are owned by large commercial corporations that operate numerous stations nationwide. In the Sacramento-Stockton-Modesto broadcast market (representing 1.2 percent of the national audience) the six English language stations are owned by five major media conglomerates: Viacom, Tribune, Sinclair, Hearst and Gannett. There is also one local Spanish language station owned by Univision. In terms of the total number of markets across the country in which each owns one or more stations they are ranked as follows: Viacom, 2nd; Tribune, 3rd; Sinclair, 5th; Hearst, 7th; and Gannett, 8th.

SMG inquired if stations ever felt corporate pressure to alter the political content of their programming. The managers denied any pressure and said they understood the need to be fair in their political coverage or would lose viewers. SMG was not able ask these questions of Channel 13, owned at the time by Sinclair Broadcasting Group which, shortly before Election Day, mandated their television stations preempt regular programming to carry a politically partisan "news" feature. The station also presented regular editorials from one partisan point of view produced by Sinclair Broadcasting in the weeks before the election.

Station managers did express frustration with providing local campaign coverage when their viewing area covers such a large geographic area. With so many local races occurring in their domain, they didn't think it was feasible to cover the many local issues and elections. Managers also spoke of their frustration when candidates refuse press coverage. According to several stations, they attempted to produce a debate between U.S. senatorial candidates, but were not successful because the incumbent refused to participate. Economics compounded the challenge, managers added, since local programming is expensive to produce and there are fewer advertisers who can support locally produced shows over several metropolitan areas.

B. Summary of Station Activities

The following is taken from information included in letters sent by stations describing their election coverage. Channel 10 did not send a letter so information is provided from notes taken during the meeting with the station manager. As noted earlier, Channel 13 refused to participate. In addition to these reported activities, all stations aired some coverage of the Democratic and Republican conventions and the presidential and vice presidential debates. (See Appendix D for copies of station letters).

Channel 3 (Owner: Hearst Argyle Television Inc.)

• Committed a minimum of five minutes, Monday through Friday between 5 p.m. and 11:35 p.m., to election coverage, including profiles of propositions and candidates, "ad watches" of political commercials and longer candidate sound bites. Political polls or "horserace" coverage was not included in the five minute tally.

¹ The sale of KOVR (Channel 13) by Sinclair Broadcasting to Viacom is awaiting federal approval. Once it is complete, the six Sacramento stations will be owned by only four major media companies.

• Aired two half-hour specials: on October 24, how diverse minority communities are affected by the issues of the election; and on October 31, voters' guide to help familiarize people with the ballot.

Channel 10 (Owner: Gannett Broadcasting)

- Aired four half-hour shows that included information on propositions and how they could impact people's daily lives.
- Developed a "Truth Test" to evaluate campaign commercials.
- Covered pros and cons on propositions on station website; ran news flashes on pumps at selected gas stations.
- Aired political coverage in news programs.

Channel 13 (Owner at the time of the study: Sinclair Broadcasting Group)

- Refused to meet with the Sacramento Media Group.
- Preempted regular programming to carry a politically partisan "news" feature shortly before Election Day.
- Aired partisan editorials as a regular feature of local news prior to the election.

Channel 19 (Owner: Univision Communications Inc.)

- Aired stories several nights per week analyzing the ballot measures most likely to affect Sacramento's Latino community on their three daily news casts with two political reporters covering the Capitol and on the weekly half hour *Voz Y Voto*, the only Spanish-language public policy program in the nation.
- Covered national presidential and vice presidential debates by simultaneously translating them into Spanish.
- Encouraged viewers to register and vote with public service announcements featuring Univision news
 personalities on a heavy rotation in weeks before the registration deadline and get-out-the-vote public
 service announcements immediately before Election Day.

Channel 31 (Owner: Viacom Television Stations Group)

- Aired two-three minutes of political coverage per hour, for a total of 8-12 minutes per day, Monday through Friday, during the broadcast of *Good Day Sacramento* (a non-traditional locally produced morning show) from July-November 2004.
- Aired 20-30 minutes on *Good Day Sacramento* of total political news and reports per morning during the conventions, debates, and weeks leading up to Election Day.
- Aired three minute daily analysis of propositions in two weeks leading up to Election Day.
- Aired special campaign reports and provided exclusive polls on *Make-It-Count*, a regularly scheduled Sunday half-hour political program.

Channel 40 (Owner: Tribune Broadcasting Company)

- Aired during primetime on October 3, 2004 a Local Town Hall special on state ballot gaming propositions 68 and 70.
- Offered free five minute prime time interviews to major candidates in U.S. Senate and key congressional races, 10 candidates accepted.
- Aired several public service announcements urging viewers to vote.
- Produced nightly news stories and coverage during primetime newscast at 10 p.m.
- Carried three presidential debates and one vice presidential debate.

• Continued to air regular monthly programs, *Viewer's Voice*, in which viewers shared perspectives and questions and *Your Town*, highlighting different communities and concerns.

Several stations used their websites to provide election coverage such as the pros and cons of ballot initiatives. This is an innovative use of resources but it raises questions of equity of access to information given that many people do not have computers and/or Internet access at home.

C. Review of Station Public Files

Because the FCC requires broadcast television stations to keep an accounting of their public service work, each station must keep a "public interest file" that includes documentation of viewers' comments, stories broadcast that benefit the community, donations or contributions to local non-profit organizations, and a listing of campaign ads the station sells to political candidates and committees. The files are compulsory for stations to be re-licensed and must be available to the public.

In preparation for visits with stations, the group investigated what public service programming the stations reported they provide by reviewing their public interest files. All stations had files in good order, but they were found to be of limited use in evaluating how the stations were meeting their obligations. The stations listed news stories by topics they felt contributed to the community's interest. However, some stations listed the same story under several topics so it was difficult to quantify what was actually provided. In addition, many listings seemed of questionable service to the public. For example, one station listed its coverage of new salads offered at McDonald's as a community service related to health issues.

Most interesting was the lack of public comment in the files. During interviews, station managers confirmed that they rarely hear from viewers except when a program is cancelled or a schedule changes and that input is usually received via e-mail (e-mail files were not made available to SMG). Every manager indicated interest in receiving public comment and that they attempt to review every letter or email that comes into the station.

D. Review of Station Political Advertising Revenues

In addition, SMG reviewed data on revenues received for political advertising during the 2004 calendar year. Channels 3/58, 10, 13, 19, 31 and 40 received a total of approximately \$12 million in revenues from advertising for U.S. congressional positions, the California Senate, the mayor of Sacramento, and 19 ballot measures. More than 80 percent of the revenues were for ballot measures. Although a large figure, the \$12 million would have been even greater had the presidential candidates advertised in California.

Advertising rates varied widely from a low of \$300 per 30-60 second "spot" to a high of \$8,000, depending on type of race, time of day, type of program and viewing audience demographics and size. For the Sacramento-Stockton-Modesto television market area the revenue represents:

- Approximately \$4 per capita
- Approximately \$8 per registered voter
- Approximately \$11 per 2004 general election vote.

Given an estimated cost of \$10,000 to \$25,000 to produce a 30-60 minute program that would feature candidates or electoral issues, stations could fund many such programs if they were to set aside even a modest percentage of their political advertising revenues.

III. Summary



None of the Sacramento stations came close to meeting the goal of two hours per week of locally produced election coverage aired during prime time. If network coverage of the Democratic and Republican conventions and the presidential and vice-presidential debates were included, most stations would have met the goal.

The following are specific findings drawn from station visits and from interviews with television station executives.

Station management claimed:

- The goal of two hours per week of prime-time, locally produced election coverage programming is not realistic.
- They have an awareness of, and respect for, a station's license to use the public airwaves.
- Political programming usually is well received by viewers.
- Political balance and fairness is a goal of the stations.
- Pressure from corporate ownership does not influence a station's political coverage.
- Local election issues are difficult to cover due to the broad viewing region that broadcast stations cover.
- Stations compete with cable television and other news sources for audience share; broadcast television is subject to more FCC regulation than are cable stations since cable does not use public airwayes.
- Stations increasingly develop and promote their own websites as "go to" resources for more information on subjects they cover on air.
- Public input is welcomed and read by station managers.

Sacramento Media Group's observations:

- Stations visited were generally open to scrutiny and input from the SMG team.
- Public Interest files existed and were accessible upon request.
- As currently kept, station public files do not present documentation in a useful way for evaluating fulfillment of station public interest obligations or responsiveness to the community.
- Public input letters (e.g., complaints) were not found in "hard copy" files and there is no way of verifying how many letters the stations may have received.
- Stations today generally receive public input via e-mail which was not made available to SMG.
- Campaign advertising revenue information was found in the file but was challenging and laborious to calculate.
- Station websites can be useful in presenting election campaign information, but they could also provide a justification for not giving public affairs ample coverage during on-air news.

IV. Recommendations

The federal government has allowed the nation's television broadcasters to use the enormous power of the public airwaves – estimated to be worth billions of dollars – free of charge. Our democracy requires and the public expects that broadcasters, in turn, serve the public interest with programming that encourages Americans to take a more active role in determining the future of their democracy. SMG is confident that local stations will respond, as they have indicated, if the public uses findings of this project to invigorate viewer involvement and communication with local broadcasters.

This year provides a timely opportunity for the public to provide comment on the public affairs and political coverage on local television broadcasts since every television station in California must be re-licensed by the end of 2006. In view of this and the results of our project activities, SMG intends to work with the public, other media activists and broadcasters to help implement the following actions:

- Continue to monitor Sacramento stations' performance against the PIPA standard: 1) two hours per week of locally-produced election coverage during prime time throughout the six weeks prior to elections; 2) three hours per week of local civic or electoral affairs programming throughout the rest of the year, at least half of it during prime time.
- Monitor news programs to record whether stations are covering important events in a nonpartisan manner. This would provide documentation for the FCC and public interest media watchdog groups.
- Develop a means for members of the public to register complaints and compliments about local television stations on a website hosted by a public interest group, thus providing a repository of information with no potential conflicts of interest.
- Encourage local stations to develop a tracking system that assures viewers their public comment communications are retained in a station's public file, and to maintain station public interest files on a website that would be easily accessible to viewers.
- Encourage public input to the FCC during the re-licensing period, between now and the end of 2006, for television stations in California.

Over the past few years Americans have demonstrated that they care about media reform by sending more than two million messages to the FCC and Congress in opposition to media consolidation. Concerted efforts must call for a more forceful standard for broadcasters, and air time for electoral discourse must be a crucial component. SMG joins with Common Cause and the Public Interest Public Airwaves Coalition to recommend that the FCC do the following:

- Develop and approve measurable, concrete public interest guidelines, sensitive to First Amendment media rights but serving the vital need to inform citizens about their democracy.
- Expand guidelines regarding what information must be collected in station public files and how this information must be presented for public view, including the placement of advertising revenues on station websites, listing amount received by client, candidate and or ballot measure.
- Develop regulations and or support legislation to reinstate a Fairness Doctrine so citizens can be sure of access to several, opposing points of view.

Appendices

A. Station Contact and Ownership Information

KCRA Channel 3

President and General Manager Elliott Troshinsky Contact Mr. Troshinsky at etroshinsky@hearst.com Or write KCRA 3 Television Circle Sacramento, CA 95814

Network: NBC

Owner: Hearst Argyle Television Inc.

KXTV Channel 10

President and General Manager Russell Postell Contact Mr. Postell at rpostell@news10.net Or write KXTV 400 Broadway Sacramento, CA 95818

Network: ABC

Owner: Gannett Broadcasting

KOVR Channel 13

General Manager Dan Mellon

Contact Mr. Mellon at dmellon@kovr.sbgnet.com

Or write KOVR 2713 Kovr Dr. West Sacramento, CA 95605-1600

Network: CBS

Owner: Viacom is buying the station; it was owned by the Sinclair Broadcast Group during the project

KUYS Channel 19

Vice President and General Manager Diego Ruiz

Contact Mr. Ruiz at druiz@univision.net

Or write KUVS 1710 Arden Way Sacramento, CA 95815

Network: Univision

Owner: Univision Communication Inc.

KMAX Channel 31

Vice President and General Manager Bruno Cohen

Contact Mr. Cohen at bcohen@kmaxtv.com

Or write KMAX 500 Media Place Sacramento, CA 95815

Network: United Paramount Network Owner: Viacom Television Stations Group

KTXL Channel 40

Vice President and General Manager Audrey Farrington

Contact Ms. Farrington at AFarrington@tribune.com

Or write KTXL 4655 Fruitridge Road Sacramento, CA 95820

Network: Fox Broadcasting Company Owner: Tribune Broadcasting Company

KQCA Channel 58

President and General Manager Elliott Troshinsky Contact Mr. Troshinsky at etroshinsky@hearst.com

Or write KOCA 3 Television Circle Sacramento, CA 95814

Network: Warner Bros. Network Owner: Hearst Argyle Television Inc.

- B. California Common Cause Letter to Stations
- **C. Station Response letters**
- D. National Statistics on Revenues from Political Advertising, Election Coverage



September 9, 2004

Dan Mellon General Manager KOVR-TV 2713 Kovr Drive West Sacramento, CA

Dear Mr. Mellon,

As General Manager of KOVR Channel 13, we are requesting a meeting with you to discuss how your station could enhance the role of the television media in the upcoming elections. I'm sure we agree that our democratic process requires an informed electorate and that the upcoming elections in November are especially significant as we choose our next president, senator and congressional representatives, and vote on ballot measures which will affect our daily lives.

Television plays a unique role in its ability to reach citizens, and we are impressed with the amount of airtime your station devotes to local news coverage. We are also aware of the FCC's public service obligation your station is expected to fulfill in return for the use of publicly owned airwaves.

In our meeting, our delegation will present a pledge (copy enclosed) for your consideration. As you can see by the enclosure, we are asking that your station commit to serve the public by offering two hours per week between 5pm and 11:35pm of balanced, non-biased coverage of key issues in the election during the weeks before Election Day, November 2, 2004. This could be coverage of a candidate's "stump" speech, an extended interview, or a debate on ballot measures. We are glad to provide input on how to make this meaningful and interesting to viewers. We ask that a written response to our pledge request be made available at our face-to-face meeting. All written station responses will be distributed to the press, including a list of those stations who do not respond.

We look forward to meeting with you at your earliest convenience. Our delegation will include members of the League of Women Voters, and other community groups and concerned citizens. I will call you in a few days to set the time of our meeting; or you can contact me by email at ifuller@commoncause.org or at (916) 443-1792 extension 11.

Thank you in advance for this opportunity,

JoAnn Fuller California Common Cause

Enclosures: Pledge, Press Release

Press Release

For immediate release

Contact: JoAnn Fuller California Common Cause 916-443-1792 extension 11

Television Stations Pressed to Improve Coverage of Election Issues Citizens Ask Broadcasters to Fulfill their Public Interest Obligations

A Sacramento delegation of concerned citizens will be meeting with local television stations to urge coverage of issues relevant to the November 2nd elections. The delegation will ask the broadcasters to sign a pledge to present two prime time hours per week in the weeks before the election of meaningful, balanced coverage of key election issues and candidate profiles. By signing this pledge, the television broadcasters will help repay the public for the free use of public airwaves and help fulfill their FCC licensing obligation to serve the public interest. After the meeting, the delegation will release the stations' written responses to the pledges. If a station does not respond in writing, this will also be noted.

"In a democracy, people need to know where candidates stand in order to make informed decisions about issues that affect our daily lives," commented JoAnn Fuller, California Common Cause grassroots organizer. "Surely two hours a week of lively coverage of issues is not too much to ask of an industry which is making billions from election campaign ads, and which gets to use our public airwaves for free."

And to those who say coverage of issues would be boring, Ron Cooper, Executive Director of Access Sacramento, community media for Sacramento County replies, "The November elections have drama, competition, and frequently comedy. If television producers can't make an interesting show out of this, they should step aside and let others have the free television license, because we know folks who can."

Members of the delegation noted that studies show that television is not covering elections:

- Less than one in five network television evening news stories about the 2004 Democratic presidential primary reported on the candidate's position on issues or their voting records
- A viewer was four times more likely to see a paid political ad during a television news broadcast than an election-related story during the last presidential elections.
- More than half of the top news broadcasts in the largest television markets did not offer any election coverage in the weeks before the 2002 congressional elections.

(USC Annenberg School for Communication's Norman Lear Center, University of Wisconsin, Pew Charitable Trust)

This delegation is organized by California Common Cause as part of a nationwide Public Interest Obligation Campaign to ensure that broadcasters serve the public interest. California Common Cause, headquartered in Sacramento, is a 25,000 member nonprofit, nonpartisan citizen's lobbying organization affiliated with national Common Cause.

2004 Elections Public Interest, Public Airwaves Pledge

YES, as part of our commitment to serve the public interest, our station hereby
makes the Public Interest, Public Airwaves Pledge. Recognizing the unique role we play in informing the American electorate, we pledge to create meaningful public
interest programming that:
Encourages viewers to become informed about-and involved in-local civic affairs and elections;
Gives the greatest number of viewers a chance to learn about the candidates and issues on the ballot in 2004;
Offers a larger diversity of viewpoints and voices available over our airwaves; and Promotes local and community programming.
To fulfill the goals above, our station pledges to:
Air at least two hours per week of candidate-centered or electoral issue-centered
discourse in the six weeks prior to Election Day November 2, 2004;
The two hours per week will occur between 5pm and 11:35pm.
□ NO, our station will not commit to airing at least two hours per week of prime
time candidate-centered or electoral issue-centered discourse in the six weeks before Election Day, November 2, 2004.
Signed:
Date:
Name:
Title:
Station:
Market:

We have alerted the press that your response is forthcoming. Please return this form to California Common Cause 926 J Street #910 Sacramento, CA 95814



ELLIOTT TROSHINSKY
PRESIDENT & GENERAL MANAGER

Hearst-Argyle

November 4, 2004

JoAnn Fuller California Common Cause 926 J Street Suite 910 Sacramento, California 95814

Dear JoAnn,

Dan and I enjoyed meeting with you about our Commitment 2004 efforts.

Locally, KCRA has a strong commitment to election coverage. We believe intelligent political discourse is vital to informing and motivating people to vote. As you may know the KCRA commitment to political coverage extends well beyond election seasons.

KCRA is one of the few stations in the country with reporters dedicated to covering political issues all year. Our efforts are anchored by Kevin Riggs who has years of experience navigating California's political system. David Bienick also works on political stories. During the election season he mainly centers his efforts scrutinizing the political advertisements. Other reporters are assigned as needed.

Our commitment to election coverage is a local and national effort. Locally, we commit a minimum of five minutes of news time between 5pm and 11:35pm Monday through Friday. During this election season that time has mostly been devoted to four types of coverage:

- Proposition profiles
- Profiles of the candidates
- Adwatches of the political commercials
- Pure sound

The proposition profiles help guide voters through the many initiatives on the ballot. The candidate profiles are longer form stories that help the viewers get to know the candidates and where they stand on the issues. The Adwards stories evaluate the political commercials on criteria such as truth and effectiveness. "Pure Sound" is our commitment to running longer sound bites with candidates.

In addition to the daily newscasts we are producing two half-hour specials dealing with the election. The first broadcast on October 24th concerned the minority vote. Sacramento is such a diverse community we thought it was important to show how our many communities are affected by the issues of this election.

The second political special is a "Voters Guide" to help people become as familiar as possible with the ballot before Election Day. This aired on October 31st.

Our commitment to political coverage is local, but our affiliation with NBC extends that reach nationally. NBC's in-depth political coverage is vast. It extends from daily newscasts to Tim Russert's Meet the Press on Sundays to coverage of the presidential and vice-presidential debates.

There is only one half-hour newscast on WB58 and coverage fits the time constraints. In addition to covering the big political story of the day, coverage on WB58 centers on the most talked about issues of the day. We cull the talk shows, national and cable newscasts and boil them down into concise stories.



We do not count political polls or 'horserace' coverage in our five-minute tally. However, it is clear that the close nature of the presidential race has influenced the candidates' messages on the issues.

The commitment of Hearst-Argyle's 20+ local stations have been recognized nationally. The Norman Lear Center at USC has twice awarded The Walter Cronkite Award for Excellence in Political Reporting. Both times, in 2000 and in 2002 it has been awarded to the Hearst-Argyle station group.

Again, JoAnn, it was nice to meet with you. Thank you for stopping by.

Sincerely,

Elliott Troshinsky

President and General Manager

Dan Weiser News Director Diego T. Ruiz Vice President & General Manager

1710 Arden Way Sacramento, CA 95815 (916) 927-1900 (916) 614-1902 FAX



November 5, 2004

JoAnn Fuller California Common Cause 926 J Street, Suite 910 Sacramento, CA 95814

Dear Ms. Fuller:

Thank you for the opportunity to share with you our commitment here at Univision 19 KUVS-TV to informing and educating our public about the political process in our nation and in our region. Because of your organization's interest in the media's coverage of the public policy process, I wanted to share with you some of the elements of our political coverage for the Sacramento region's Latino audience.

NOTICIAS 19: Our award-winning newscast, Noticias 19, covers the region's and the state's political news extensively. With two political reporters, Xochitl Arellano and Pablo Espinoza, staffing Univision's Capitol bureau, Univision 19 prides itself on providing more political coverage than any other local station in the market. Hispanic viewers to any of our three daily newscasts have the most complete and up-to-the-minute information on their elected officials and the various political campaigns in our community.

ELECTIONS COVERAGE: In addition to our regular coverage, every elections season Univision 19 devotes significant additional time to in-depth analysis of the campaigns, ballot initiatives, and political debates that Latino voters will be asked to decide at the polls. In the recently-completed election season, for instance, we devoted stories several nights per week to analyzing the ballot measures most likely to affect Sacramento's Hispanic community.

DEBATES COVERAGE: Univision 19 strives to bring the candidates themselves, unfiltered, to the Latino voting public, knowing as we do that there are few other avenues available to reach a Spanish-speaking audience. For this reason, we televise candidate debates, simultaneously translated into Spanish, whenever we have the opportunity. This year, working with the Commonwealth Club of San Francisco, we were unsuccessful in persuading Senator Barbara Boxer to agree to a debate with her opponent Bill Jones. Last year, we televised the historic gubernatorial debate between recall candidates Arnold Schwarzenegger, Cruz Bustamante, Arianna Huffington, Tom McClintock and Peter

Camejo. We also produced and broadcast a town hall meeting between Governor Gray Davis and Latino leaders. Univision's commitment to bringing debates to our audience dates back to 1998, when we broadcast the first-ever major political debate in the country to air in Spanish, between gubernatorial candidates Gray Davis, Dan Lungren, Jane Harman and Al Checchi.

VOZ Y VOTO: In addition to daily news coverage of political issues, Univision 19 presents "Voz y Voto," the only Spanish-language public policy program in the entire country. A half-hour political discussion program taped weekly in Sacramento at our studios, the show is hosted by KUVS Capitol correspondent Xochitl Arellano and political analyst Arnoldo Torres. Weekly topics include local, state and national issues with an emphasis on their impact on the Hispanic community in California. Each week, a panel analyzes the weekly topic in a lively roundtable discussion. Guest panelists include politicians, social critics, community leaders and political analysts. Past guests include:

California Governor Arnold Schwarzenegger
California Governor Gray Davis
Mexican President Vicente Fox
Lieutenant Governor Cruz Bustamante
Los Angeles Mayor Richard Riordan
Gubernatorial Candidate Bill Simon
Community leaders
Political experts
Elected officials from the entire state

Voz y Voto airs weekly on Univision stations in California's top 10 markets.

VOTER REGISTRATION: Because information is only half the battle, Univision 19 prides itself on its ongoing efforts to turn this information into action by encouraging Latinos to register and vote. This has been a very important component of Univision's outreach efforts for many years, because Hispanic voters represent a significantly smaller percentage of all voters than overall Hispanic population numbers would suggest. Since the late 1990's, Univision has partnered up with different community organizations, including the National Association of Latino Elected and Appointed Officials and the Southwest Voter Registration Project, to register and turn out Latino voters. As you saw when you visited our office, we air voter registration Public Service Announcements, featuring our well-known Univision news personalities, on a heavy rotation in the weeks leading up to the voter registration cut-off date. We complement this with get-out-the-Latino-vote PSAs in the days immediately before election day. This year, we even encouraged our eligible viewers to come in to the station and fill out their registration forms in our lobby.

As you can see, Univision 19 has a deep and heartfelt commitment to serving our audience with the most complete information on the democratic process. As we see every day in our ratings, our public depends on Univision for much of their news and

information. Because of this, our responsibility to provide our viewers all the information they need to make an informed decision is all the greater.

Thanks for the opportunity to share this information with you. I hope it will be of use to you as you prepare your study of political coverage on Sacramento-area stations. Please do not hesitate to contact me if you need additional information, or we can be of further assistance.

Sincerely,

Diego T./Ruiz

Vice President and General Manager

November 5, 2004



Joanne Fuller California Common Cause 926 'J' Street, Suite 910 Sacramento, CA 95814

Ms. Fuller:

Following the meeting with your staff here at our station on 9/19 regarding our impending political coverage, below is a summary of the airtime UPN 31 provided during this election year. The content was aired during *Good Day Sacramento*, a non-traditional, locally produced morning show through which we incorporate our local news:

7/04 - 11/04

Provided 2 – 3 minutes of political coverage per hour block each morning (Monday-Friday), equating to 8-12 minutes per morning.

- Dedicated 20 30 minutes of total political news and reports per morning during the Conventions, Debates and weeks leading up to Election Day.
- Presented a daily analysis of the Propositions (three minutes in length) per morning, beginning two weeks leading up to Election Day.

11/2

- Aired five 90-second cut-ins during regularly scheduled programming to provide updated election results during the evening.

11/3

- Provided 90 – minutes of special post election coverage during regularly scheduled programming, between 10:00am and 1:00pm. Each block of coverage was 30-minutes in length.

UPN 31 also aired a regularly scheduled half-hour political program, *Make-It-Count*, beginning September 19 and scheduled through November 7, 2004. This program has aired every Sunday at 10:00am. It provided viewers with campaign reports to help illuminate and explain the latest news and most pressing issues; and provided exclusive polls.

Please call me at 916-925-3100 if you have any questions.

Roleeda Statham

Ma

Public Affairs Director

UPN 31 Cable 12

Cc: Bruno Cohen, VP & General Manager



500 Media Place

For Immediate Release October 2004

Contact: Roleeda Statham (916) 921-3080

UPN 31 CABLE 12 AIRS "MAKE IT COUNT" A Weekly Program on the Presidential Campaign

(Sacramento) – UPN 31 Cable 12 is providing viewers with the most up-to-date information on the 2004 Presidential Campaign through *Make-It-Count*. The program airs every Sunday at 10:00am on UPN Channel 31, Cable Channel 12.

Make It Count, which has been provided to all of the Viacom-owned stations, is produced by CBS and hosted by Lynda Lopez. The program offers viewers a spirited and fresh mix of reporting on Campaign '04 to help illuminate and explain the latest news and most pressing issues. Producers and reporters are on the campaign trail, traveling with the candidates. The reports also provide exclusive polls for UPN viewers from the CBS News Election Survey Unit, and interviews with key campaign operatives and observers are also in the program's mix.

"UPN 31 Cable 12 is pleased to provide this vital information to our viewers. Through the creative development of this program by CBS, we believe that *Make-It-Count* will offer a fresh approach to addressing the campaign issues important to voters," said Bruno Cohen, VP and General Manager of UPN 31 Cable 12.

The program will air through November 7, 2004.

The Viacom Television Stations Group consists of 18 CBS, 20 UPN and 1 independent television stations reaching 17 of the top 20 television markets in the United States. The Group includes duopolies in seven major markets, with both CBS and UPN owned network stations in Philadelphia, Boston, San Francisco, Dallas, Detroit, Miami and Pittsburgh.

#



4655 Fruitridge Road Sacramento, CA 95820-5299 (916) 454-4422

October 7, 2004

Ms. JoAnne Fuller California Common Cause 926 J Street #910 Sacramento, CA 95814

Dear Ms. Fuller:

I am writing to recap our October 6, 2004 meeting with you and representatives from the League of Women Voters, Sierra Club, and Access Sacramento. You asked for a meeting to discuss KTXL FOX40's coverage related to this fall's general election and to urge local television stations to provide coverage of relevant issues.

KTXL FOX40's specific initiatives related to the November 2nd election include:

- Carriage of the 3 Presidential and 1 Vice Presidential debates on 9/30, 10/5, 10/8 and 10/13/04.
- Primetime airing of a Local Town Hall special 10/3/04 on gaming propositions 68 and 70.
- Free airtime offer of 5 minute primetime interviews to major candidates in U.S. Senate and key Congressional races. 10 have accepted to date.
- Public service announcements urging viewers to get-out-the-vote.
- Nightly news stories and coverage during our primetime newscast, FOX40 News at 10.

Should U.S. Senate candidates Barbara Boxer and Bill Jones agree on a debate, KTXL is committed to airing this as well.

As we discussed, KTXL FOX40's initiatives are not limited to the political season. We regularly engage and inform viewers on local issues through our on-going program entitled "The Viewer's Voice" which provides a means for viewers to engage in the process, sharing their perspectives and questions with us, their representatives and the audience. We highlight different communities and their concerns monthly, broadcasting "Your Town" live from various locales. We meet regularly with community organizations to ascertain community needs, and we have helped raise more than \$6-million dollars in six years for local non-profits and schools through our Helping Hand Fund and One For The Community partnerships.

You requested that we sign a pledge as proof of our commitment to serving the public interest. We believe that our initiatives themselves demonstrate this, and encourage your coalition to share your concerns with all stations in a market, not just a select few. KTXL FOX40 remains committed to serving the public interest in ways that are meaningful and relevant to our audience. We welcome your continuing input and feedback.

Sincerely,

Clickry L Farrington

VP / General Manager

The Political Standard

Alliance for Better Campaigns

Volume 7, Number 4

December 2004

Local Stations Are Big Winners in Campaign 2004

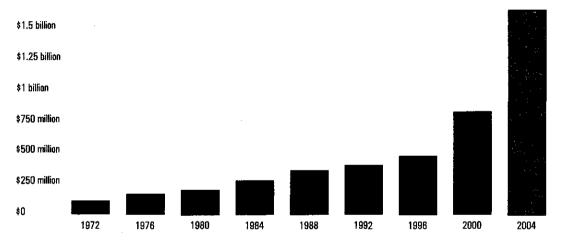
TV Broadcasters Rake in More than \$1.6 Billion in Political Advertising

Candidates, parties and independent groups spent more than \$1.6 billion on television ads in 2004, a record for any campaign year and double the amount spent in the 2000 presidential election, according to figures released by the Alliance for Better Campaigns.

"Television air time is the number one cost center for candidates in competitive races," said Meredith McGehee, president and executive director of the Alliance. She characterized the heavy ad spending as "an enormous election-year windfall for broadcasters, who receive free licenses to operate on the publicly-owned airwaves."

Based on data compiled by the TNSMI/Campaign Media Analysis Group (CMAG), a private firm that tracks political advertising on television, the Alliance reported that \$1.6 billion was spent on television ads in the nation's 100 largest media markets this year — more than double the \$771 million spent in 2000, the last presidential campaign year. Cable saw far less advertising: approximately \$64.5 million was spent for 24,586 political ads in 2004.

The CMAG survey covers only the top 100 media markets. It does not include the 111 smaller media markets in the nation — among Television's Rising Political Fortunes, 1972 - 2004



Political advertising hit a new record in 2004 — \$1,605,214,638. [Source: TNSMI/Campaign Media Analysis Group; Television Bureau of Advertising]

them cities such as Sioux Falls, S.D. — that were flooded with ads this year.

According to CMAG's count, a total of 1,950,737 political spots aired this year on 615 stations in the nation's top markets, another record. At 30 seconds each, that would be the same as 677 solid days of advertising.

The deluge of ads swamped the meager campaign coverage that most local stations offered this fall. According to the Lear Center Local News Archive, in presidential battleground states, a half-hour of local news averaged almost six minutes of campaign advertising, but only three minutes of campaign news. Forty-five percent of all campaign stories were about strategy or horserace, while only 29 percent focused on campaign issues. Ad watch stories, which truth-check the political commercials, made up less than one percent of campaign stories in the study's sample (See story, Page 4).

CMAG maintains a

sophisticated tracking system that captures each advertisement as it hits the television airwaves. Any spots that contained information relevant to 2004 federal, state, or local elections; politically oriented content; or discussion of state or federal issue advocacy campaigns were classified as political ads by CMAG analysts. CMAG's cost estimates are calculations based on the latest industry standard cost data, historical data and CMAG adjustments based on market by market intelligence.